

EXHIBIT D

1 IN THE UNITED STATES DISTRICT COURT
2

3 IN AND FOR THE DISTRICT OF DELAWARE
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6 PERSONALIZED MEDIA : CIVIL ACTION
7 COMMUNICATIONS, LLC, :
8 Plaintiff, :
9 vs. :
10 AMAZON.COM, INC., AMAZON :
11 WEB SERVICES, LLC, :
12 Defendants. : NO. 13-1608 (RGA)

13 - - -

14 Wilmington, Delaware
15 Friday, March 21, 2014
16 1:09 o'clock, p.m.

17 - - -

18 BEFORE: HONORABLE RICHARD G. ANDREWS, U.S.D.C.J.

19 - - -

20 APPEARANCES:

21 FARNAN LLP
22 BY: BRIAN E. FARNAN, ESQ. and
23 MICHAEL FARNAN, ESQ.

24 -and-
25

26 Valerie J. Gunning
27 Official Court Reporter

1 competitive decision-maker for the client, that I can't
2 exempt him, and I think he's really the only individual that
3 we've had any attempt to make a counsel-by-counsel showing
4 on. I don't think I can exempt him from patent prosecution
5 bar, and so while I think there's some potential injury to
6 PMC, I don't think it outweighs the potential injury to
7 Amazon caused by the possibility of inadvertent use of the
8 confidential information.

9 So I'm not going to grant the exemption. And so
10 I took my papers back with me and I left them back there.
11 Let me just try to say what I thought about the other ones.

12 In terms of the patent acquisition, I think the
13 risk there is very slight, and so I'm not going to -- I
14 think it was Amazon wanting something barring activity
15 involved in the patent acquisition. I'm not going to do
16 that.

17 In terms of the lines of print, you know, I see
18 there are nine patents here, but I have seen in the past
19 smaller numbers than the number that the firm, or that the
20 plaintiffs want, the 200 pages, and so I'm going to go with
21 the 200 pages for right now, but that is not a hard and fast
22 number. And so when you think you're getting there and you
23 need to get more, if you all can't work it out between you,
24 come back and ask me and it won't take much of a showing,
25 and you can quote me on this, I'm sure you will, it won't